

SCHOOL BUDGET REVIEW COMMITTEE[289]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 257.30, the School Budget Review Committee hereby proposes to amend Chapter 1, “Organization,” Iowa Administrative Code.

2010 Iowa Acts, House File 2030, changes the composition of the Committee and makes the Director of the Department of Education a nonvoting member of the Committee. Proposed Items 1 and 2 incorporate these changes. The amendment in Item 3 adds the street address for the Committee. Item 4 incorporates a rule similar to rule 289—6.2(257) into Chapter 1 and proposes to change the number of meetings from four to three because the May meeting is not held a majority of the time.

A waiver provision is provided in 289—Chapter 8.

Interested individuals may make written comments on the proposed amendments on or before October 26, 2010, at 4:30 p.m. Comments on the proposed amendments should be directed to Su McCurdy, Administrative Consultant, Iowa Department of Education, Second Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa 50319-0146; telephone (515)281-4738; E-mail su.mccurdy@iowa.gov; or fax (515)281-7700.

These amendments are intended to implement Iowa Code section 282.31 and 2009 Iowa Code Supplement sections 273.2, 273.3 and 282.30 and section 257.30 as amended by 2010 Iowa Acts, House File 2030, section 2.

The following amendments are proposed.

ITEM 1. Amend **289—Chapter 1**, title, as follows:

ORGANIZATION AND ADMINISTRATIVE PROCEDURES

ITEM 2. Amend rule 289—1.1(257) as follows:

289—1.1(257) School budget review committee. The school budget review committee (SBRC) is established ~~in the department of education for administrative purposes to review and make recommendations on any rules, regulations, directives, or forms relating to budgeting and accounting in school districts and area education agencies (AEA); to confer with local school districts and make recommendations on any budgeting or accounting matters; and to grant supplemental aid or to grant a modified allowable growth in the budget year for any school district or AEA that has unusual circumstances that create a need for additional funds for operations or that must abate an environmental hazard due to a state or federal regulation.~~ The SBRC may grant use of the unexpended general fund for facilities under certain circumstances specified in the Iowa Code. The SBRC has the authority to direct the director of the department of education or the director of the department of management to make studies and investigations of school costs in any school district.

1.1(1) Membership. The SBRC shall be composed of the following ~~five~~ six members:

a. The director of the department of education who shall serve as chairperson and conduct all meetings unless another member of the committee is asked by the director of the department of education to assume this role. The director of the department of education is a nonvoting member of the committee.

b. The director of the department of management who shall serve as secretary unless ~~direction is given~~ another member of the committee or department of education staff or department of management staff is asked by the director of the department of management ~~to another person~~ to assume this role. The designated secretary shall not be a voting member, unless the designee is a regular member of the committee.

c. ~~Three~~ Four public members who are knowledgeable in the areas of school finance or public finance issues shall be appointed by the governor to represent the public. All committee members shall perform their assigned duties until a replacement has been appointed.

d. No change.

1.1(2) *Qualifications of public members.* The ~~three~~ four public members shall have general knowledge in the areas of Iowa school finance or public finance. At least one of the public members shall possess a master's or doctoral degree in which areas of school finance, economics or statistics are an integral component, or shall have equivalent experience in an executive administrative or senior research position in the education or public administration field.

1.1(3) and 1.1(4) No change.

ITEM 3. Amend rule 289—1.2(257) as follows:

289—1.2(257) Mailing address. The mailing address for all operations of the SBRC is: Grimes State Office Building, 400 E. 14th Street, Des Moines, Iowa 50319-0146.

ITEM 4. Adopt the following new rule 289—1.4(257):

289—1.4(257) Hearings.

1.4(1) *Number.* The committee shall meet and hold hearings each year and shall continue in session until it has reviewed budgets of school districts and completed the other duties as found in 2009 Iowa Code Supplement sections 257.30 and 257.31 as amended by 2010 Iowa Acts, House File 2030, and Iowa Code sections 257.32 and 260C.18B. A minimum of three sessions to hold hearings shall be scheduled each fiscal year and shall be held during the months of October, December, and March. Revisions to these regularly scheduled sessions may be made if there are scheduling conflicts, if the SBRC determines that additional sessions are necessary, or if there are not sufficient hearing requests to hold a session.

1.4(2) *Notification to legislators and others.*

a. Legislators shall be notified of hearings of the SBRC for specific school districts, area education agencies, or community colleges in their constituencies. Such notification may be written, oral, or electronic.

b. Public notice of all hearings scheduled by the SBRC shall be posted by the department of education on the department's Web site and on the public notice bulletin board on the first floor of the Grimes State Office Building, 400 E. 14th Street, Des Moines, Iowa.

1.4(3) *Hearing procedures.* The chairperson shall maintain the decorum of the hearing and may refuse to admit or may expel anyone whose conduct is disorderly.

1.4(4) *Quorum.*

a. Three voting members present shall constitute a quorum of the SBRC, and a quorum must be present to conduct a hearing at which official action is taken. Members may be present by electronic media.

b. If only three members are present, three favorable votes are necessary to pass a motion.